

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CAROLYN PLACHT, on behalf of the)
Symbria Inc. Employee Stock Ownership)
Plan, and on behalf of a class of all other)
persons similarly situated,)

Plaintiff,)

v.)

ARGENT TRUST COMPANY, JILL)
KRUEGER, THOMAS NOESEN, JR.,)
JOHN R. CALLEN, CENTRAL)
BAPTIST VILLAGE, COVENANT)
RETIREMENT COMMUNITIES, INC.,)
FRANCISCAN SISTERS OF)
CHICAGO SERVICE CORPORATION,)
LIFELINK CORPORATION,)
LUTHERAN HOME AND SERVICES)
FOR THE AGED, INC., MATHER)
LIFEWAYS, NORWEGIAN)
LUTHERAN BETHESDA HOME)
ASSOCIATION, NORWOOD LIFE)
CARE FOUNDATION, FRIENDSHIP)
SENIOR OPTIONS, NFP, REST)
HAVEN ILLIANA CHRISTIAN)
CONVALESCENT HOME, ST.)
PAUL'S HOUSE & HEALTHCARE)
CENTER, and UNITED METHODIST)
HOMES & SERVICES,)

Defendants.)

Case No. 1:21-cv-05783

Hon. Ronald A. Guzman

**AGREED MOTION TO EXTEND TIME FOR ORGANIZATION SHAREHOLDER
DEFENDANTS TO RESPOND TO THE COMPLAINT**

Defendants Central Baptist Village, Covenant Retirement Communities, Inc., Franciscan Sisters of Chicago Service Corporation, Lifelink Corporation, Lutheran Home and Services for the Aged, Inc., Mather Lifeways, Norwegian Lutheran Bethesda Home Association, Norwood Life

Care Foundation, Friendship Senior Options, NFP, Rest Haven Illiana Christian Convalescent Home, St. Paul's House & Healthcare Center, and United Methodist Homes & Services (collectively the "Organization Shareholder Defendants"), through their counsel respectfully request that this Court grant them an extension of time to respond to the Complaint to January 24, 2022. Plaintiff has consented to this request. All Defendants who have appeared in the case and are represented by counsel, Argent Trust Company, Jill Krueger, and Thomas Noesen, Jr., also consent to this request. This agreed motion is based on the following grounds:

1. Plaintiff filed the Complaint on October 29, 2021. ECF. No. 1.
2. Defendants Franciscan Sisters of Chicago Service Corporation, Friendship Senior Options, NFP, Lutheran Home and Services for the Aged, Inc., and St. Paul's House & Healthcare Center were served with the Complaint on November 10, 2021. Based on the date of service, Franciscan Sisters of Chicago Service Corporation's, Friendship Senior Options, NFP's, Lutheran Home and Services for the Aged, Inc.'s, and St. Paul's House & Healthcare Center's response to the Complaint would have been due on December 1, 2021. However, these Defendants, along with their co-Organization Shareholder Defendants, needed more time to coordinate and make representation arrangements.
3. Defendants Central Baptist Village, Mather Lifeways, Norwegian Lutheran Bethesda Home Association, and Norwood Life Care Foundation were served with the Complaint on November 11, 2021. Based on the date of service, Central Baptist Village's, Mather Lifeways', Norwegian Lutheran Bethesda Home Association's, and Norwood Life Care Foundation's response to the Complaint would have been due on December 2, 2021. However, these Defendants, along with their co-Organization Shareholder Defendants, needed more time to coordinate and make representation arrangements.

4. Defendants Covenant Retirement Communities and United Methodist Homes & Services were served with the Complaint on November 12, 2021. Based on the date of service, Covenant Retirement Communities' and United Methodist Homes & Services' response to the Complaint would have been due on December 3, 2021. However, these Defendants, along with their co-Organization Shareholder Defendants, needed more time to coordinate and make representation arrangements.

5. Defendant Rest Haven Illiana Christian Convalescent Home was served with the Complaint on November 16, 2021. Based on the date of service, Rest Haven Illiana Christian Convalescent Home's response to the Complaint is due December 7, 2021.

6. Defendant Lifelink Corporation was served with the Complaint on November 19, 2021. Based on the date of service, Lifelink Corporation's response to the Complaint is due December 10, 2021.

7. The undersigned counsel now is engaged by all Organization Shareholder Defendants and filed their appearances on December 3, 2021.

8. On December 3, 2021, the undersigned counsel contacted Plaintiff's counsel and obtained an agreement to extend the time for all Organization Shareholder Defendants to respond to the Complaint to January 24, 2022.

9. The undersigned counsel also contacted counsel for those Defendants who have appeared in the case and confirmed that Argent Trust Company, Jill Krueger, and Thomas Noesen, Jr. consent to the extension.

10. There is good cause for the agreed-upon extension. The Organization Shareholder Defendants wish to mount a coordinated response to the Complaint and only recently engaged counsel. In light of the number of Organization Shareholder Defendants (12) and the upcoming

holidays, they require additional time to fully analyze the Complaint and prepare their coordinated response.

11. No prejudice to any party will result if this motion is granted. The Organization Shareholder Defendants' requested, agreed-upon extension to January 24, 2022 will align with the time by which Defendants Jill Krueger and Thomas Noesen, Jr. must respond to the Complaint. The Organization Shareholder Defendants do not seek any other extensions of time for other deadlines entered in this case, including the deadline by which the parties must hold a joint initial status conference and file an initial joint status report.

12. This is the first request for an extension that Organization Shareholder Defendants have sought of their deadline to respond to the complaint. Their request is made in good faith and not for purposes of delay.

WHEREFORE, Organization Shareholder Defendants respectfully request that this Court extend their time to respond to the Complaint to and including January 24, 2022.

December 3, 2021

Respectfully submitted,

/s/ Theodore M. Becker

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Aged, Inc., Mather Lifeways, Norwegian Lutheran
Bethesda Home Association, Norwood Life Care*

Foundation, Friendship Senior Options, NFP, Rest Haven Illiana Christian Convalescent Home, St. Paul's House & Healthcare Center, and United Methodist Homes & Services

CERTIFICATE OF SERVICE

I, Theodore M. Becker, hereby certify that, on December 3, 2021, I caused the foregoing *Agreed Motion to Extend Time for Organization Shareholder Defendants to Respond to the Complaint* to be filed electronically using this Court's CM/ECF system, thereby serving such filing on all registered participants identified in the Notice of Electronic Filing in this matter on this date.

Dated: December 3, 2021

/s/ Theodore M. Becker
Theodore M. Becker